

Claims 1-3 and 6-19 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Hosokawa in view of Eida et al. and Himeshima et al., and claims 4, 5 and 9 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Hosokawa in view of Eida et al. and Morii et al. Applicants respectfully traverse the rejections for at least the following reasons.

The Office Action admits that Hosokawa does not “teach that the transparent conductive material of the first electrode is disposed on an upper surface of the partition wall and that the partition wall is made of a transparent organic material.” Then, the Office Action relies upon Eida et al. to teach that “the transparent conductive material of the first electrode 33 ... is disposed on an upper surface of the partition wall (22; see figure 19a).” Further, the Office Action concedes that both Hosokawa and Eida et al. “are silent regarding the limitation of the partition wall made from a transparent, organic material,” but relies upon Himeshima et al. to teach a partition wall made of a transparent material, and goes on to allege that “it would have been obvious at the time of the invention to one of ordinary skill in the art to combine to OLED of Hosokawa/Eida with the transparent material for the partition wall as taught by Himeshima et al.” Applicants respectfully submit that there is no motivation to combine Hosokawa, Eida et al. and Himeshima et al., at least because a transparent insulating material does not work in the structure of Eida et al. for the partition wall.

The Office Action appears to suggest a color modulating layer 22 of Eida et al. as the claimed “partition wall.” Although combining the teachings of Hosokawa, Eida et al. and Himeshima et al., may result in the color modulating layer 22 of Eida et al. being made of a

transparent insulating material, the color modulating layer 22 of Eida et al. cannot be made of the transparent insulating material due to its function of modulating light and changing the color thereof. In other words, if the color modulating layer 22 was made of the transparent insulating material, it would not be able to modulate the light passing therethrough. In fact, as described in col. 5, lines 9-18 and further illustrated in Figs. 1(a) to 1(c) of Eida et al., it is obvious that the color modulating layer 22 is made of a material different from a transparent medium 1. Accordingly, Applicants respectfully submit that the color modulating layer 22 of Eida et al. cannot correspond to Applicants' claimed "partition wall," as recited by claims 1, 14 and 16.

MPEP §2143.01 explicitly directs that "[t]he mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination. *In re Mills*, 916 F.2d 680, 16 USPQ2d 1430 (Fed. Cir. 1990)." Moreover, as further directed by MPEP §2143.01, although all aspects of the claimed invention may have been individually known in the art at the time the invention was made, a statement that modifications of the prior art would have been well within the ordinary skill in the art "is not sufficient to establish a prima facie case of obviousness without some objective reason to combine the teachings of the references." Accordingly, Applicants respectfully assert that the Office Action has not provided any motivation, either implicitly or explicitly by Eida et al. and Himeshima et al. to modify Hosokawa to arrive at Applicants' claimed invention, as recited by each of independent claims 1, 14 and 16. Thus, Applicants respectfully assert that the Office

Action has failed to establish a *prima facie* case of obviousness with regard to independent claims 1, 14, and 16, and hence dependent claims 2-13, 15, and 17-19.

In addition, Applicants respectfully assert that the Office Action does not rely upon any of Morii et al. to remedy the above-detailed deficiencies of Hosokawa, Himeshima et al. and Eida et al. Moreover, Applicants respectfully assert that the Office Action cannot rely upon any of Morii et al. to remedy the above-detailed deficiencies of Hosokawa, Himeshima et al. and Eida et al.

For at least the above reasons, Applicants respectfully assert that the rejections under 35 U.S.C. §103(c) should be withdrawn because all of the applied references, whether taken individually or combined, fail to teach or suggest the novel combination of features recited in presently-amended independent claims 1, 14, and 16, and hence dependent claims 2-13, 15, and 17-19.